

**MINUTES OF THE VINEYARD TOWN
WORK SESSION AND COUNCIL MEETING
Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah
February 10, 2016 at 6:00 PM**

6:00 PM WORK SESSION

PRESENT:

Mayor Randy Farnworth
Councilmember Tyce Flake
Councilmember Julie Fullmer (6:30 PM)
Councilmember Dale Goodman

ABSENT:

Councilmember Nate Riley

Staff Present: Attorney David Church, Planner Aric Jensen, Sheriff Deputy Collin Gordon, Finance Director Jacob McHargue, Public Works Director Don Overson, Deputy Recorder Kinsli McDermott

Others Present: Resident Chris Judd, Resident Cristy Welsh

Mayor Farnworth opened the meeting at 6:00 PM. He reviewed the agenda with staff. Councilmember Fullmer arrived at 6:30 PM. The work session adjourned at 6:41 PM.

7:00 PM COUNCIL MEETING

PRESENT:

Mayor Randy Farnworth
Councilmember Tyce Flake
Councilmember Julie Fullmer
Councilmember Dale Goodman

ABSENT:

Councilmember Nate Riley

Staff Present: Attorney David Church, Planner Aric Jensen, Sheriff Deputy Collin Gordon, Finance Director Jacob McHargue, Public Works Director Don Overson, Water/Sewer Technician Sullivan Love, Planning Commission Chair Wayne Holdaway, Deputy Recorder Kinsli McDermott

Others Present: Resident Chris Judd, Resident Cristy Welsh, Resident Anthony Jenkins, Nate Hutchinson and Bronson Tatton - Flagship Homes, Mike Hutchings - Anderson Geneva, Jeff Gochnour and Jeff Winston - The Forge,

Regular Session - The meeting was called to order at 7:00 PM. The invocation was offered by Commissioner Flake.

CONSENT ITEMS:

- a) Approval of January 13, 2016 Minutes
- b) Special Event Permit for the Groundbreaking Ceremony for Freedom Academy
- c) Approval of Final Plat 7C Tucker Row

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE CONSENT ITEMS. COUNCILMEMBER FULLMER SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR. MOTION CARRIED WITH ONE ABSENT.

PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL:

Planning Commission Chair Wayne Holdaway suggested giving the Planning Commission more authority to make administrative approvals, such as Conditional Use Permit applications. Mayor Farnworth suggested that the Town Council hold a work session to discuss Planning Commission responsibilities and then hold a joint session with the Planning Commission.

STAFF REPORTS:

Public Works Director /Engineer– Don Overson – Mr. Overson said the final design for the Front Runner station access and station design would be sent to the Council for review. He hoped to receive comments with ideas on how to move forward. He said the design would also be reviewed by UVU (Utah Valley University) as well.

Mr. Overson reported that he hoped to have final plans for the public safety building on Friday. He hoped to have the bid opening on the 23rd.

Mr. Overson reported that the traffic study reports came back. He mentioned that a report would be sent to the Councilmembers as well as posted on the website.

Town Attorney – David Church – Mr. Church had no new items to report.

Utah County Sheriff's Department – Deputy Collin Gordon – Deputy Gordon reported that he received an approval for "No Parking" signs to be placed on Geneva Road, although, he did not receive a placement date.

Town Planner – Aric Jensen – Mr. Jensen had no new items to report.

Finance Director – Jacob McHargue – Mr. McHargue reported that he was working on a current fiscal year budget revision and that reports would be given out soon.

Town Clerk/Recorder – Pamela Spencer – Ms. Spencer was excused from the meeting.

COUNCILMEMBERS' REPORTS:

Councilmember Riley – Councilmember Riley was excused from the meeting.

Councilmember Fullmer – Councilmember Fullmer had no new items to report.

Councilmember Goodman – Councilmember Goodman had no new items to report.

Councilmember Flake – Councilmember Flake presented a legislature watch as of 2/9/2016. He discussed bills that had been passed.

MAYOR'S REPORT:

Mayor Farnworth mentioned that MAG (Mountainland Association of Governments) had a Tag program that the public could participate in. He told the Council to contact Mr. McHargue for more information. Mayor Farnworth mentioned that air quality was a big discussion at MAG especially during winter months.

Mayor Farnworth reported that he had not had any recent meetings with Orem City. He said they were working on finalizing the contracts for water storage and the fire service. Mr. Church discussed some of the items needing to be resolved within the contract and mentioned that he expected an updated agreement and proposal before the next budget year. Mr. McHargue mentioned that the County wanted to be included in the bid for fire service. Mayor Farnworth suggested waiting with the County until after reviewing the proposal from Orem.

OPEN SESSION: Citizens' Comments (Please see note below)

Mayor Farnworth called for public comments.

Resident Chris Judd asked if there was an update on the railroad spur removal. Mr. Church explained that the town was moving forward and providing what was required. He said staff was waiting on some exhibits being provided by Union Pacific Railroad. He said staff was trying to identify which portion of the spur Vineyard would buy and which right of way the town would purchase from Anderson Geneva.

BUSINESS ITEMS:

8.1 PUBLIC HEARING – WatersEdge Zone Amendment

The Applicant from Flagship Homes is requesting an amendment to the WatersEdge Zone Plan to amend the existing fencing plan. The Mayor and Town Council will take appropriate action. (This item was continued from the January 13, 2016 Town Council meeting where they approved the senior housing overlay and sign plan).

Mayor Farnworth explained that the applicant asked to continue the public hearing until the next Council meeting. The public hearing was moved by consent.

8.2 DISCUSSION AND ACTION – WatersEdge 18-Acre Park

Bronson Tatton with the WatersEdge development will present their proposal for the 18-acre park. The Mayor and Town Council will take appropriate action.

Mr. Hutchinson said they prioritized the elements of the park based on discussions with the Planning Commission and Town Council. He asked Mr. Tatton to present the concept.

Mr. Tatton presented a list of the elements they were asked to include. He reviewed the proposed design. Questions and discussion followed regarding the height of the overlook hill and

slide material, tennis courts, pavilions, detention pond, sledding hill, non-manicured grasses, construction timeline, and splash pad. Mr. Tatton said the overlook hill was 22 feet. He said the slides would probably be light colored plastic and possibly canopied to protect against heat in the summer months. He explained that the tennis courts were lower on the priority list. He said they were multi-use courts. Mr. Church mentioned that pickle ball seemed to take over tennis courts in other cities. Mr. Tatton agreed and thought the new courts would be used. He explained that they considered different areas for the pavilions and was open for discussion. He said the detention pond could be passive play area, but not sporting use. Mr. Tatton said the sledding hill was designed so the steeper side was to the north where snow would stay longer. He talked about the varying age level areas on the hill. He said there would be steeper areas and gradual slope areas. Mr. Tatton explained that the proposed type of grass was designed to be low maintenance. He recommended mowing the grass once each year. He said water could be cut off from the area if needed for water preservation. He mentioned that the grass would turn brown if not watered in the summer. Mr. Tatton explained that if they had approvals tonight, grading could begin within two weeks. Mr. Hutchinson said the goal was to have it done by fall, so that they could coordinate a grand opening with the town and have some use from it this year. Mr. Tatton thought the river in the splash pad was about 75 feet long and 3-5 feet wide. He said the water was very shallow. He said the features would fill the stream then flow to a drain and would circulate.

Mr. Overson mentioned that the main concept for the irrigation pond was to be able to water the 18 acre park, the 6 acre park, and the 3 acre park. The design of the parks was intended to be efficient for the town because water for the area was very costly. He said the concept would really cut maintenance costs.

Mayor Farnworth asked if Mr. Overson was comfortable with the concept. Mr. Overson explained that the applicant included every item prioritized by the Council. He voiced concern with not having enough money to pay for all the desired elements. He suggested prioritizing the elements that were wanted now, and what could be installed later. Mr. Tatton mentioned that there were grants offered by various businesses and establishments if logos were used in specific design elements.

Mr. Jensen was asked his opinion. He thought it was a great park. He also voiced concern about the affordability if all elements were included upfront.

Mayor Farnworth noted that tennis and basketball courts could be installed later. He said the money needed to be first allocated for the engineered pumps and such.

Discussion ensued regarding the grading, concept plan, some design elements, and parking.

Motion: COMMISSIONER FLAKE MOVED TO APPROVE THE SITE PREPARATION AS NOTED, AND THE APPROVAL OF THE PARK PLAN TO BE CARRIED OVER TO THE NEXT COUNCIL MEETING. COUNCILMEMBER GOODMAN SECONDED THE MOTION. MAYOR FARNWORTH, COUNCILMEMBER FLAKE, COUNCILMEMBER FULLMER, AND COUNCILMEMBER GOODMAN WERE IN FAVOR. NONE WERE OPPOSED. THE MOTION CARRIED WITH ONE ABSENT.

The Council discussed the idea of assembling a Parks and Trails Committee. The Council decided that it would be discussed more in a future meeting.

Mr. Church pointed out that the developer contracted to a certain amount. He said the town had the ability to put in more than the amount in the contract, but it would come out of the town's budget. He clarified that the discussion was regarding the priorities for the money that they committed.

8.3 PUBLIC HEARING – Zoning Amendment (Ordinance 2016-02)

Cottonwood Partners and MIG have requested an amendment to the Vineyard Zoning Ordinance and Zoning Map for “The Forge” development. The Mayor and Town Council will take appropriate action. (this item was continued from the January 27, 2015 meeting).

Mayor Farnworth reviewed previous discussions regarding The Forge. He called for a motion.

Motion: COUNCILMEMBER FULLMER MOVED TO OPEN THE PUBLIC HEARING FOR BUSINESS ITEM 8.3 AT 8:06 PM. COUNCILMEMBER GOODMAN SECONDED THE MOTION. THE MOTION CARRIED.

Mayor Farnworth asked for public comment.

Mr. Hutchings, on behalf of Anderson Geneva, mentioned that they previously articulated general opposition to the zoning request and their reasons for it. He reviewed some of the reasons and said they felt they needed to keep the agreement regarding the 2,000 maximum housing units. He said they always envisioned the area to be retail/office space. He thought that if the Council was inclined to approve the zoning amendment, he proposed that several changes be made to the proposed zone. They thought there should be some minimum requirement by the Council for minimum intensity - maybe 1.2 million sq. feet of development. He thought it would be a travesty to approve an intense development, but not have it built. He suggested that any housing be a minimum 3-story multi-family product. He suggested that a minimum requirement for the amount of retail be required. Mr. Hutchings referred to a comment by Mr. Jensen stating that the ground was shovel ready. He suggested having a requirement that construction be started by a certain time, as a condition of the zoning. He suggest that Light Manufacturing not be an allowed use in the zone. Additionally, he thought it was important that RDA increment not be used for this zone. He thought there was a need to use tax increment elsewhere and recommended that they not put tax increment into this development, aside from what was already there. Mr. Hutchings noted that the developers were good quality developers and hoped that they would be building this zone out.

Resident Anthony Jenkins asked about the tax increment analysis. At the Mayor's request, Mr. McHargue explained the results of the analysis. He explained that the current zoning would allow just over \$200 Million in property value and about \$148,000 would come to the city. He pointed out the estimated property tax for the proposed zoning. He handed out copies of the analysis, and then explained the analysis based on several elements.

Mayor Farnworth invited the applicant to make comment. Mr. Gochnour addressed Mr. Hutchings comments and suggestions. He said the intensity of the development would be dictated by the market. He did not see how a minimum development could be imposed on anyone. Regarding the suggested housing restrictions, he did not think duplexes were mentioned in the application. He said town homes were mentioned as a means of providing variety. He explained that their intent was not to be more than 5-10% support retail. Mr. Gochnour said he did not understand the suggested requirement of the timing of development. He said their plan was to build roads immediately to open up parcels for development. He said it was their intent to be the sole developer of the project. He explained that they may contract with other developers with different expertise to participate in the development. It was explained that the light industrial use was included due to possible manufacturing of circuit boards or 3-D printing.

Regarding the RDA involvement, Mr. Gochmour said there may be a need to incentivize certain groups or businesses in the future.

Mr. Park mentioned the report done by Zion's Bank that was submitted to the Council a couple of weeks ago. He said the report included sales tax revenue from big box and was much higher than the numbers mentioned by Mr. McHargue. Mr. Park voiced concern with the road configuration and the way traffic would flow from The Forge to existing development. Mr. Winston discussed the route of their roads. He said their Anvil Street could connect to the Megaplex property if they were willing. He said they would continue to work with the Megaplex to negotiate access points.

Mr. Gochmour stated that there should not be a requirement for retail versus residential because the RMU (Regional Mixed Use) Zone did not have any requirement.

Mayor Farnworth asked for additional comments. Hearing none, he called for a motion.

Motion: COUNCILMEMBER GOODMAN MOVED TO CLOSE THE PUBLIC HEARING AT 8:29 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR. THE MOTION CARRIED.

Mayor Farnworth wondered if there was any prediction for when the first buildings could be started. He wondered what was different with the proposal compared to what was already allowed in the RMU Zone. Mr. Gochmour talked about timing for potential buildings and explained that they had an obligation to IHC (Intermountain Health Center) to deliver roads to their potential site by late fall of this year. He explained that the RMU Zone had height limits that might limit their ability to attract large corporate units. He said the height restrictions meant a larger building footprint, which was inefficient for building space. He mentioned that they requested no setbacks because tighter corridors made a more pedestrian-friendly corridor. He said it was also a traffic calming element. He said they proposed mixed use parking. He explained that they requested half the density allowed within the RMU Zone. He talked about the proposed condition for residential and commercial ratio. Mr. Winston thought they were supporting the overall goals of the RMU Zone.

Mayor Farnworth asked the attorney for clarification regarding the residential moratorium and the RDA funds. Mr. Church explained that the application was the request to lift the moratorium and that no additional meetings were needed. He said any developer could request RDA funds.

Councilmember Goodman asked for clarification regarding the proposed residential component. Mr. Gochmour explained that of 150 square feet, there could potentially be 50 square feet of residential and 100 square feet of commercial.

Mayor Farnworth asked for additional comments or questions. Hearing none, he called for a motion.

Councilmember Goodman stated that he had been opposed to any additional residential in the zone, however the proposed development was something he had wanted to see in this area. He said although the residential was not desired, he thought the project was something that was in the best interest of the community. He did not feel it was appropriate to punish a developer with a great proposal because of other proposals approved in the past that maybe were not so good.

Motion: COUNCILMEMBER GOODMAN MOVED TO APPROVE THE PROPOSED ZONE MAP AND AMENDMENT WITH THE FOLLOWING CHANGES RECOMMENDED BY THE PLANNING COMMISSION.

1. IN SECTION D.3. – REPLACE THE FIRST SENTENCE WITH THE FOLLOWING: “THE QUANTITY OF RESIDENTIAL USES APPROVED OR CONSTRUCTED SHALL NEVER EXCEED ONE HALF OF THE QUANTITY OF NON-RESIDENTIAL USES APPROVED OR CONSTRUCTED, AS MEASURED IN TOTAL FLOOR AREA (SQUARE FEET).
2. IN SECTION D.6. – STRIKE “DECKS” FROM THE LIST OF ITEMS THAT CAN OVERHANG BEHIND THE SETBACKS. THE COMMISSION’S REASONING IS THAT DECKS CAN ACCUMULATE, ICE, SNOW, AND OTHER STORED OBJECTS THAT HAVE THE POTENTIAL OF FALLING ONTO PERSONS ON THE SIDEWALK OR OTHER PEDESTRIAN WALKWAYS.
3. IN SECTION D.9.2. – REPLACE THE FIRST SENTENCE WITH THE FOLLOWING LANGUAGE: “A MINIMUM OF TWENTY PERCENT (20%) OF THE NET SITE AREA OF THE DEVELOPMENT SHALL BE SET ASIDE FOR OPEN SPACE, WITH THE POSSIBILITY OF REDUCING IT TO NOT LESS THAN TEN PERCENT (10%) THROUGH OPEN SPACE ENHANCEMENTS.” THE APPLICANT ORIGINALLY PROPOSED 10% TOTAL OPEN SPACE, BUT THE COMMISSION FELT THAT WAS INSUFFICIENT AND SO THEY PROPOSED A STANDARD SIMILAR TO THAT IN THE TOWN CENTER ZONE. HOWEVER, THE COMMISSION DID NOT RECOMMEND SPECIFIC LANGUAGE AS TO WHAT CONSTITUTES “ENHANCEMENTS”. THE APPLICANT HAS PREPARED A SERIES OF PROPOSED STANDARDS (ATTACHED) FOR THE COUNCIL TO CONSIDER.
4. IN SECTION D.10.2. – ADD THE FOLLOWING LANGUAGE: “ALL PARKING STALLS ASSOCIATED WITH A LAND USE, WHETHER SHARED OR INDIVIDUALLY RESERVED, SHALL BE LOCATED ON THE SAME BLOCK AS THE USE FOR WHICH THEY ARE INTENDED.” THE COMMISSION’S REASONING IS THAT PARKING NEEDS TO BE WITHIN A COMFORTABLE WALKING DISTANCE OF THE INTENDED USE, AND THE COMMISSION AND APPLICANT AGREED THAT WITHIN THE SAME BLOCK IS A REASONABLE METRIC.

COUNCILMEMBER FULLMER SECONDED THE MOTION. MAYOR FARNWORTH, COUNCILMEMBER FLAKE, COUNCILMEMBER FULLMER, AND COUNCILMEMBER GOODMAN WERE IN FAVOR. NONE WERE OPPOSED. COUNCILMEMBER RILEY WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

8.4 DISCUSSION AND ACTION –Vineyard Town Code Amendment (Ordinance 2016-03)

Town Attorney David Church will present an Ordinance to change the Regular Town Council Meeting start time from 7:00 PM to 7:30 PM. The Mayor and Town Council will take appropriate action.)

Mr. Church explained the proposed change to the code.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE VINEYARD TOWN CODE AMENDMENT. COUNCILMEMBER GOODMAN SECONDED THE MOTION. MAYOR FARNWORTH, COUNCILMEMBER FLAKE, COUNCILMEMBER FULLMER, AND COUNCILMEMBER GOODMAN WERE IN FAVOR. NONE WERE OPPOSED. COUNCILMEMBER RILEY WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

8.5 DISCUSSION – Open and Public Meetings Training

Vineyard Attorney, David Church, will present annual training on Open and Public Meeting procedures and requirements. The Town Council as well as members of the Planning Commission will attend this training. This training is provided annually pursuant to Section 52-4-104 of the Utah State Code. (this item was postponed from the January 13, 2016 meeting).

Mr. Church reviewed the open and public meeting procedures and requirements. He said the Open Public Meetings Act required that meetings of public bodies be open to the public, it set out the minimum requirement for record keeping including minutes and recordings and public access to them, and it defined the limited exceptions for when public meetings could be closed. He reviewed the requirements for a public meeting, proper noticing, and actions based on agenda items. Mr. Church reviewed the minutes and recording requirements. He said transparency was the purpose of the Public Meetings Act.

AJOURNMENT

Motion: COMMISSIONER FULLMER MOVED TO ADJOURN THE MEETING.
COMMISSIONER FLAKE SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR.
THE MOTION CARRIED.

The meeting adjourned at 8:56 PM. The next regularly scheduled meeting is February 24, 2016.

MINUTES APPROVED ON April 13, 2016

CERTIFIED CORRECT BY: /s/ Kinsli McDermott
K. MCDERMOTT, DEPUTY RECORDER